

February 4, 2010

Robert J. Conway
Marshall, Conway, Wright & Bradley
116 John Street
New York, N.Y. 10038

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2-6-2014</u>
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Dear Sir:


This letter is a answer to the matter of John Rapillo and Heidi Rapillo, Plaintiffs in the case pursuant to 09-CIV-10429 submitted in the Sounthern District Court of New York, Honorable Judge George B. Daniels.

The Plaintiff has brought a suit claims breach of 15 U.S.C. Section 78-Securities Fraud, Action for conversion and breach of fiduciary duty.

This action had already been settled in Civil Court of New York State where the Plaintiff recieved settlement of \$16,000, 000 approximately. And this Defendant is currently serving the term of 5-15 years for the crimes.

The Honorable Court should be aware that this Defendant is now indigent with no funds adequate to defend in this matter. This matter is one that this defendant needs a attorney skilled in civil financial matters of this nature. Thus, this defendant is asking the Honorable Court to appoint attorney to assist in this defense.

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CLERK'S OFFICE

Very truly yours,

David Holzer
#09R3851
Greene C.F.
P.O.Box 975
Greene, N.Y.12051

AFFIDAVIT OF SERVICE

The Defendant in the matter of John Rapillo and Heidi Rapillo, pursuant to 09-CIV-10429 submitted in the Southern District Court of New York, Honorable Judge George B. Daniels, this Defendant has deposited a original and copies of his answer of papers filed by Plaintiff pursuant to Rule 12 of the Federal Rules of Civil Procedure, to the following persons below:

Robert J. Conway
Marshall, Conway, Wright and Bradley
116 John Street
New York, N.Y. 10008


Hon. George B. Daniels
Judge of Southern District
Court of New York
Daniel Patrick Moynihan U.S.
Courthouse
500 Pearl Street
New York, N.Y. 10007-1312

John Rapillo and Heidi Rapillo
14 Winding Lane
Scarsdale, N.Y. 10583

SWORN TO BEFORE ME THIS 4 DAY
OF February, 2010

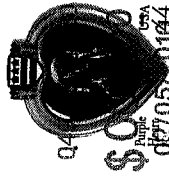
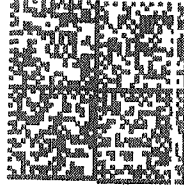

NOTARY PUBLIC

John J. Kilrain
Notary Public State of New York
Qualified in Schenectady County
Reg. No. 01K16060025
Commission Expires: 6/11/2011


David Holzer #09R3851
Greene C.F.
P.O.Box 975
Coxsackie, N.Y. 12051

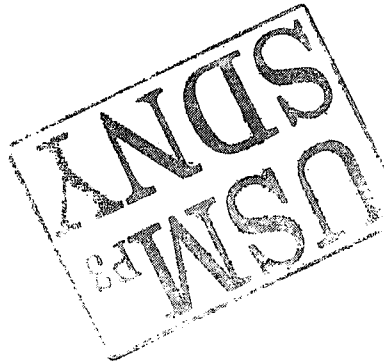
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Hon. George B. Daniels
Judge Southern District
Court of New York
Daniel Patrick Moynihan
U.S. Courthouse
500 Pearl Street
New York, N.Y. 10007-1312



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